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09/686,522

BB1165USNA

PRELIMINARY AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

AMENDMENT AND PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. 1.48(b)

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

REBECCA E. CAHOON ET AL.

APPLICATION NO.: 09/686,522

FILED: OCTOBER 11, 2000

CONFIRMATION NO.: 5214

FOR: PHYTIC ACID BIOSYNTHETIC ENZYMES



CASE NO.: BB1165 US NA

GROUP ART UNIT: 1634

EXAMINER: TAYLOR, JANELL E.

#11/B
CD
4/25/02

**PRELIMINARY AMENDMENT
AND RESPONSE TO RESTRICTION REQUIREMENT**

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

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Sir:

In response to the Office Action of March 19, 2002, and before examination on the merits, please amend the above-referenced application as follows and consider the following remarks.

IN THE CLAIMS:

Please cancel claims 16-31, 37-42, and 47.

Please replace the following new claims:

32. "amended" An isolated polynucleotide comprising:

(a) a nucleotide sequence encoding a polypeptide having extragenic suppressor activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 80% identity based on the Clustal alignment method, or

(b) the complement of the nucleotide sequence.

33. "amended" The polynucleotide of claim 32, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 90% identity based on the Clustal alignment method.

34. "amended" The polynucleotide of claim 32, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:14 have at least 95% identity based on the Clustal alignment method.

35. "amended" The polynucleotide of claim 32 comprising the nucleotide sequence of SEQ ID NO:13.

36. "amended" The polynucleotide of claim 32, wherein the polypeptide comprises the amino acid sequence of SEQ ID NO:14.